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NATIONAL SECURITY ACT OF 1947,  
as amended<sup>1</sup>

[61 Stat. 495, Pub. L. 80-253, July 26, 1947, 50 U.S.C.A. 402, et seq.;  
63 Stat. 578, Pub. L. 81-216, August 10, 1949;  
65 Stat. 373, Pub. L. 82-165, October 10, 1951;  
67 Stat. 19, Pub. L. 83-15, April 4, 1953;  
68 Stat. 1226, Pub. L. 83-779, September 3, 1954;  
70A Stat. 679, Pub. L. 84-1028, August 10, 1956;  
94 Stat. 1981, Pub. L. 96-450, October 14, 1980;  
95 Stat. 1150, Pub. L. 97-89, December 4, 1981;  
96 Stat. 122, Pub. L. 97-200, June 23, 1982;  
97 Stat. 1473, Pub. L. 98-215, December 9, 1983;  
98 Stat. 2209, Pub. L. 98-477, October 15, 1984;  
99 Stat. 1002, Pub. L. 99-169, December 4, 1985]

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CHAPTER 15—NATIONAL SECURITY

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SUBCHAPTER 1—COORDINATION FOR  
NATIONAL SECURITY

50 U.S.C.A. 402 [§ 101 of Nat. Sec. Act]. National Security Council

(a) Establishment; presiding officer; functions; composition.

There is established a council to be known as the National Security Council (hereinafter in this section referred to as the "Council").<sup>2</sup>

The President of the United States shall preside over meetings of the Council: *Provided*, That in his absence he may designate a member of the council to preside in his place.

The function of the Council shall be to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security.

The Council shall be composed of—

- (1) the President;
- (2) the Vice President;<sup>3</sup>
- (3) the Secretary of State;

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(4) the Secretary of Defense;

(5) . . .<sup>4</sup>

(6) . . .<sup>5</sup> and

(7) The Secretaries and Under Secretaries of other executive departments and of the military departments,<sup>6</sup> . . .<sup>7</sup> when appointed by the President by and with the advice and consent of the Senate, to serve at his pleasure.

**(b) Additional Functions**

In addition to performing such other functions as the President may direct,<sup>8</sup> for the purpose of more effectively coordinating the policies and functions of the departments and agencies of the Government relating to the national security, it shall, subject to the direction of the President, be the duty of the Council<sup>9</sup>

(1) to assess and appraise the objectives, commitments, and risks of the United States in relation to our actual and potential military power, in the interest of national security, for the purpose of making recommendations to the President in connection therewith; and

(2) to consider policies on matters of common interest to the departments and agencies of the Government concerned with the national security, and to make recommendations to the President in connection therewith.

**(c) Executive secretary; appointment and compensation: staff employees**

The Council shall have a staff to be headed by a civilian executive secretary who shall be appointed by the President.<sup>10</sup> The executive secretary, subject to the direction of the Council, is authorized, subject to the civil-service laws and chapter 51 and subchapter III of chapter 53 of Title 5, to appoint and fix the compensation of such personnel may be necessary to perform such duties as may be prescribed to the Council in connection with the performance of its functions.

**(d) Recommendations and reports**

The Council shall, from time to time, make such recommendations and such other reports to the President as it deems appropriate. The President may require.

**50 U.S.C.A. 403 [§ 102 of Nat. Sec. Act]. Central Intelligence Agency**

(a) **Establishment; Director and Deputy Director; appointment**  
There is established under the National Security Council Intelligence Agency " with a Director of Central Intelligence

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be the head thereof,<sup>12</sup> and with a Deputy Director of Central Intelligence<sup>13</sup> who shall act for, and exercise the powers of, the Director during his absence or disability.<sup>14</sup> The Director<sup>15</sup> and the Deputy Director<sup>16</sup> shall be appointed by the President, by and with the advice and consent of the Senate, from among the commissioned officers of the armed services, whether in an active or retired status, or from among individuals in civilian life: *Provided, however,* That at no time shall the two positions of the Director and Deputy Director be occupied simultaneously by commissioned officers of the armed services, whether in an active or retired status.<sup>17</sup>

**(b) Commissioned officer as Director or Deputy Director; powers and limitations; effect on commissioned status**

(1) If a commissioned officer of the armed services is appointed as Director, or Deputy Director, then—

(A) in the performance of his duties as Director, or Deputy Director, he shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were a civilian in no way connected with the Department of the Army, the Department of the Navy, the Department of the Air Force, or the armed services or any component thereof; and

(B) he shall not possess or exercise any supervision, control, powers, or functions (other than such as he possesses, or is authorized or directed to exercise, as Director, or Deputy Director) with respect to the armed services or any component thereof, the Department of the Army, the Department of the Navy, or the Department of the Air Force, or any branch, bureau, unit, or division thereof, or with respect to any of the personnel (military or civilian) of any of the foregoing.

(2) Except as provided in paragraph (1) of this subsection, the appointment to the office of Director, or Deputy Director, of a commissioned officer of the armed services, and his acceptance of and service in such office, shall in no way affect any status, office, rank, or grade he may occupy or hold in the armed services, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade. Any such commissioned officer shall, while serving in the office of Director, or Deputy Director, continue to hold rank and grade not lower than

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that in which serving at the time of his appointment and to receive the military pay and allowances (active or retired, as the case may be, including personal money allowance) payable to a commissioned officer of his grade and length of service for which the appropriate department shall be reimbursed from any funds available to defray the expenses of the Central Intelligence Agency. He also shall be paid by the Central Intelligence Agency from such funds an annual compensation at a rate equal to the amount by which the compensation established for such position exceeds the amount of his annual military pay and allowances.<sup>18</sup>

(3) The rank or grade of any such commissioned officer shall, during the period in which such commissioned officer occupies the office of Director of Central Intelligence, or Deputy Director of Central Intelligence, be in addition to the numbers and percentages otherwise authorized and appropriated for the armed service of which he is a member.<sup>19</sup>

**(c) Termination of employment of officers and employees; effect on right of subsequent employment**

Notwithstanding the provisions of section 652 [now repealed]<sup>20</sup> of Title 5, or the provisions of any other law,<sup>21</sup> the Director of Central Intelligence may, in his discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable to the interests of the United States,<sup>22</sup> but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission.

**(d) Powers and duties**

For the purpose of coordinating the intelligence activities of the several Government departments and agencies in the interest of national security, it shall be the duty of the Agency, under the direction of the National Security Council—<sup>23</sup>

(1) to advise the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security;

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(2) to make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as relate to the national security;

(3) to correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government using where appropriate existing agencies and facilities: *Provided*, That the Agency shall have no police, subpoena, law-enforcement powers,<sup>24</sup> or internal-security functions: *Provided further*, That the departments and other agencies of the Government shall continue to collect, evaluate, correlate, and disseminate departmental intelligence: *And provided further*, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure;

(4) to perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally; and

(5) to perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct.

**(e) Inspection of intelligence of other departments**

To the extent recommended by the National Security Council and approved by the President, such intelligence of the departments and agencies of the Government, except as hereinafter provided, relating to the national security shall be open to the inspection of the Director of Central Intelligence, and such intelligence as relates to the national security and is possessed by such departments and other agencies of the Government, except as hereinafter provided, shall be made available to the Director of Central Intelligence for correlation, evaluation, and dissemination; *Provided, however*, That upon the written request of the Director of Central Intelligence, the Director of the Federal Bureau of Investigation shall make available to the Director of Central Intelligence such information for correlation, evaluation, and dissemination as may be essential to the national security.

**(f) Termination of National Intelligence Authority; transfer of personnel, property, records, and unexpended funds**

Effective when the Director first appointed under subsection (a) of this section has taken office—

(1) the National Intelligence Authority (11 Fed. Reg. 1337, 1339, February 5, 1946)<sup>25</sup> shall cease to exist;<sup>26</sup> and

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(2) the personnel, property, and records of the Central Intelligence Group are transferred to the Central Intelligence Agency, and such Group shall cease to exist.<sup>27</sup> Any unexpected balances of appropriations, allocations, or other funds available or authorized to be made available for such Group shall be available and shall be authorized to be made available in like manner for expenditure by the Agency.

**50 U.S.C.A. 403-1 [§ 102a of Nat. Sec. Act]. Intelligence Community Staff; appointment of Director**

(1) If a commissioned officer of the Armed Forces is appointed as Director of the Intelligence Community Staff, such commissioned officer, while serving in such position—

(A) shall not be subject to supervision, control, restriction, or prohibition by the Department of Defense or any component thereof; and

(B) shall not exercise, by reason of his status as a commissioned officer, any supervision, control, powers, or functions (other than as authorized as Director of the Intelligence Community Staff) with respect to any of the military or civilian personnel thereof.

(2) Except as provided in subsection (1), the appointment of a commissioned officer of the Armed Forces to the position of Director of the Intelligence Community Staff, his acceptance of such appointment and his service in such position shall in no way affect his status, position, rank, or grade in the Armed Forces, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, position, rank, or grade. Any such commissioned officer, while serving in the position of Director of the Intelligence Community Staff, shall continue to hold a rank and grade not lower than that in which he was serving at the time of his appointment to such position and to receive the military pay and allowances (including retired or retainer pay) payable to a commissioned officer of his grade and length of service for which the appropriate military department shall be reimbursed from any funds available to defray the expenses of the Intelligence Community Staff. In addition to any pay or allowance payable under the preceding sentence, such commissioned officer shall be paid by the Intelligence Community Staff, from funds available to defray the expenses of such staff, an annual compensation at a rate equal to the excess of the rate of compensation payable for such position over the annual rate of his military pay (including retired and retainer pay) and allowances.

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